



**UNITED STATES DEPARTMENT OF COMMERCE**  
**Patent and Trademark Office**

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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
09/140,979	08/27/98	GOLDBERG	S 3367-4

QM12/1005

SHERIDAN ROSS P.C.  
SUITE 1200  
1560 BROADWAY  
DENVER CO 80202-5141

EXAMINER

MANUEL, G

ART UNIT

PAPER NUMBER

3737

DATE MAILED: 10/05/00

**Please find below and/or attached an Office communication concerning this application or proceeding.**

**Commissioner of Patents and Trademarks**

*Supp.*  
**Notice of Allowability**

Application No.

09/140,979

Examiner

George Manuel

Applicant(s)

GOLDBERG, SHELDON F.

Art Unit

3737

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance and Issue Fee Due or other appropriate communication will be mailed in due course.

1. ☒ This communication is responsive to Information Disclosure Statement filed 12/13/99.
2. ☒ The allowed claim(s) is/are 1-105.
3. ☒ The drawings filed on 13 December 1999 are acceptable.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).  
a) ☐ All    b) ☐ Some\*    c) ☐ None    of the CERTIFIED copies of the priority documents have been  
1. ☐ received.  
2. ☐ received in Application No. (Series Code / Serial Number). \_\_\_\_\_.  
3. ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

5. ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

A SHORTENED STATUTORY PERIOD FOR REPLY to comply with the requirements noted below is set to EXPIRE THREE MONTHS FROM THE "DATE MAILED" of this Office Action. Failure to timely comply will result in ABANDONMENT of this application. Extensions of time may be available under the provisions of 37 CFR 1.136(a).

6. ☐ Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient. A SUBSTITUTE OATH OR DECLARATION IS REQUIRED.
7. ☐ Applicant MUST submit NEW FORMAL DRAWINGS  
(a) ☐ because the originally filed drawings were declared by applicant to be informal.  
(b) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review( PTO-948) attached  
1) ☐ hereto or 2) ☐ to Paper No. \_\_\_\_\_.  
(c) ☐ including changes required by the proposed drawing correction filed \_\_\_\_\_, which has been approved by the examiner.  
(d) ☐ including changes required by the attached Examiner's Amendment / Comment.

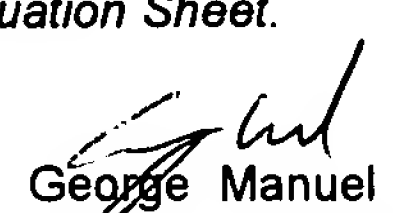
Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the reverse side of the drawings. The drawings should be filed as a separate paper with a transmittal letter addressed to the Official Draftsperson.

8. ☐ Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Any reply to this letter should include, in the upper right hand corner, the APPLICATION NUMBER (SERIES CODE / SERIAL NUMBER). If applicant has received a Notice of Allowance and Issue Fee Due, the ISSUE BATCH NUMBER and DATE of the NOTICE OF ALLOWANCE should also be included.

**Attachment(s)**

- |  |  |
|--|--|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892)  | 2 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                    | 4 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____    |
| 5 <input checked="" type="checkbox"/> Information Disclosure Statements (PTO-1449), Paper No. _____    | 6 <input type="checkbox"/> Examiner's Amendment/Comment                    |
| 7 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input type="checkbox"/> Examiner's Statement of Reasons for Allowance   |
|  | 9 <input checked="" type="checkbox"/> Other See Continuation Sheet.        |

  
George Manuel  
Primary Examiner  
Art Unit: 3737

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## DETAILED ACTION


### *Inventorship*

1. In view of the papers filed 1/18/2000, it has been found that this nonprovisional application, as filed, through error and without deceptive intent, improperly set forth the inventorship, and accordingly, this application has been corrected in compliance with 37 CFR 1.48(c). The inventorship of this application has been changed by adding John Van Antwerp.

The application will be forwarded to the Office of Initial Patent Examination (OIPE) for issuance of a corrected filing receipt, and correction of the file jacket and PTO PALM data to reflect the inventorship as corrected.

### *Conclusion*

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to George Manuel whose telephone number is (703) 308-2118.

  
George Manuel  
Primary Examiner  
Art Unit: 3737  
October 3, 2000